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13 Brands, Kohler Co., Gerber Plumbing Fixtures, LLC and  
Mansfield Plumbing Products, LLC

14 [Counsel for Other Parties Listed On Signature Page]

15 UNITED STATES DISTRICT COURT  
16 CENTRAL DISTRICT OF CALIFORNIA

17 UNITED DESERT CHARITIES,  
18 FRED EDE III, EMILY WILLIAMS,  
19 BRUCE PRITCHARD, and JEAN  
STEINER, on behalf of themselves and  
20 all others similarly situated,

21 Plaintiffs,

22 v.

23 FLUSHMATE a/k/a SLOAN VALVE  
COMPANY, AMERICAN  
STANDARD BRANDS AS  
24 AMERICA, INC., KOHLER CO.,  
GERBER PLUMBING FIXTURES,  
25 LLC, MANSFIELD PLUMBING  
PRODUCTS, LLC, HOME DEPOT,  
26 U.S.A., INC., and DOES 1-10,  
inclusive,

27 Defendants.  
28

Case No. 12-cv-06878 SJO (SHx)

Hon. S. James Otero

**JOINT STIPULATION TO STAY  
PROCEEDINGS**

[Proposed Order filed concurrently  
herewith]

Action filed: August 9, 2012

Berube v. Flushmate  
2:13-cv-02372-SJO-SH  
Brettler v. Flushmate  
2:13-cv-02499-SJO-SH  
Kubat, et al. v. Flushmate  
2:13-cv-02425-SJO-SH  
Patel v. Flushmate  
2:13-cv-02428-SJO-SH

1 Plaintiffs United Desert Charities (“UDC”), Fred Ede, III, Emily Williams,  
2 Bruce Pritchard, and Jean Steiner (“UDC Plaintiffs”); Daniel Berube; Jeffrey  
3 Brettler; Randy Kubat and John Snyder (“Kubat Plaintiffs”); and Pankaj Patel  
4 (collectively, “Plaintiffs”); and Defendants Flushmate, a division of Sloan Valve  
5 Company (“Flushmate”); AS America, Inc., doing business as American Standard  
6 Brands (“American Standard”); Kohler Co. (“Kohler”); Gerber Plumbing Fixtures,  
7 LLC (“Gerber”); Mansfield Plumbing Products, LLC (“Mansfield”); and Home  
8 Depot U.S.A., Inc. (“Home Depot”) (collectively, “Defendants”), through their  
9 respective counsel, hereby stipulate and agree as follows, subject to approval of  
10 the Court:

11 1. On April 18 and 19, and May 13 and 14, 2013, Plaintiffs and Flushmate  
12 participated in a mediation of this Consolidated Action before the Hon. William J.  
13 Cahill (Ret.) at JAMS’ offices in San Francisco, California. The plaintiffs in  
14 *Dimov, et al. v. Sloan Valve Co.* (the “*Dimov* Action”), currently pending in the  
15 Northern District of Illinois, Case No. 1:12-CV-09700, also participated in the  
16 mediation. On May 17, 2013, the parties, including the Dimov plaintiffs, reached  
17 agreement in principle with regard to the terms of a nationwide class settlement,  
18 which, subject to preliminary and final approval under Rule 23 of the Federal  
19 Rules of Civil Procedure, would dispose of this Consolidated Action and the  
20 *Dimov* Action.

21 2. To enable the parties to devote their time and attention to the  
22 preparation of the settlement agreement and the other documents that will need to  
23 be initially presented to the Court for preliminary approval purposes, and in the  
24 interest of judicial economy, the parties stipulate and agree that the Consolidated  
25 Action should be stayed, and the June 3, 2013 hearing on Defendants’ motions to  
26 dismiss Plaintiffs’ Third Amended Complaint in the *United Desert Charities* case  
27 [ECF Docket Nos. 76-77] be taken-off calendar.  
28

1           3. The parties further suggest that a joint report on the status of settlement  
2 be filed with the Court within sixty (60) days.

3           IT IS SO STIPULATED.

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5       Dated: May 21, 2013

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CERTIFICATION

Pursuant to Civil Local Rule 5-4.3.4(a)(2)(i), Steven H. Frankel, the ECF User whose identification and password are being used to file the foregoing JOINT STIPULATION TO STAY PROCEEDINGS, attests that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: May 21, 2013

/s/ Steven H. Frankel  
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